State of the Case
OF THE
COMMONVVEALTH
OF
England, *Scotland*, and *Ireland*,
And the Dominions thereto belonging;

In reference to the late eſtabliſhed Government
BY A
Lord Protector,
and a *PARLAMENT.*

Manifeſting therein, not only a Conſiſtencie with, and neceſſary Conſequence upon the foregoing Alterations; but alſo a full Conformity to the declared Principles and Engagements of the *Parlament* and *Army*.

It being the Judgment of divers Perſons, who, throughout theſe late Troubles, have approved themſelves faithfull to the Cauſe and Intereſt of GOD and their Country.

Preſented to the Publick, for the ſatiſfaction of others.

London, Printed by *Tho. Newcomb*, over againſt *Baynards-Caſtle* in *Thames-ſtreet*. 1654.

National Library of Ireland

A TRUE STATE of the CASE OF THE Common-wealth,

In reference
To the late eſtabliſh'd *Government*
BY A
Ld PROTECTOR
and a *PARLAMENT.*

SEeing it hath pleaſed GOD, after many various and wonderfull Turns of Affairs, (occaſioned through the continual oppoſitions of his, and his Peoples enemies on the one ſide, banding themſelves againſt the Rights and Liberties of this Nation; and on the other ſide, through the Corruption and Apoſtaſie of particular Perſons, who have from time to time been intruſted in the Supreme Authority) at length to fix the Government of theſe Dominions in the preſent Form of Eſtabliſhment: As it is a matter much beyond the expectation of thoſe whom He hath uſed as Inſtruments in the whole courſe

of his Providence, and of admiration to the World: ſo it affords abundant cauſe of praiſe and thankſgiving, that thoſe great Changes and Revolutions which have been in the midſt of us, have not engaged us in blood among our ſelves, nor expoſed us for a prey and ſpoil to the Common Enemy, who watcheth all advantages and opportunities to promote the ruine of that Intereſt, which the Lord himſelf hath owned by many glorious Deliverances in the behalf of our Nation: for no other Reaſon can be imagined of the happy peace and tranquillity which we now enjoy, but that He who ſtretched out the Heavens, and laid the foundations of the Earth, and formeth the ſpirit of Man within him, hath brought forth theſe things, as the accompliſhment of his own good will and purpoſe toward his People; who have been carried on by a Divine hand, through many admirable difficulties and ſucceſſes, in all the conteſts they have had with the Enemies of their Peace and Liberty.

And as ſuch Diſpenſations as theſe cannot be lookt upon, by the moſt envious eye or profane heart, as the birth and product of any fore-laid Contrivements of men, biaſſed with corrupt and carnal intereſt; So we have a great ground of hope and confidence, that the Lord, in whoſe hands is our breath and life, and all our wayes, hath been ſhaking and moving foundations in theſe Lands, not to overturn, but to eſtabliſh this Commonwealth upon a better and more ſure *Baſis* of Government, than hath been enjoyed by our Anceſtors for many Generations. And truly, we cannot but profeſs our ſelves very much raiſed with hopes and apprehenſions of this nature, as often as we reflect upon the Reſolutions lately taken for the ſettlement of theſe Nations, and expoſed in Print to the view of the World: which doubtleſs being conſidered in themſelves, and compared with the beſt of former Governments, do not only exceed the wiſhes and expectations of thoſe men, who caſt an eye of prejudice upon all the Actions and Proceedings of the preſent Governours, and are ſory to ſee perſons whom they hate and maligne, become Inſtruments of any good;

but

but we conceive alſo, that being weighed in an equal ballance they do in ſubſtance, and upon a true account, fully correſpond with the primary Ends and Intentions of ſuch as engaged in the late Controverſie with the King, upon principles of common Freedom, and have not ſince been drawn aſide through the ſubtilties of Satan (leading them captive by a deluded phanſie) to promote the things they have not ſeen; or not deſigned peculiar advantages of their own ſome other way, and calculated their particular Intereſts for another kind of Government: From neither of which any great compliance with the preſent can be expected, untill the one Party awake out of their dreams of an imaginary Paradiſe; and the other find a door open'd again to their private Intereſt and advantage. And therefore, though we apprehend it would be time ill ſpent, to endeavour the reducing of ſuch men by dint of Reaſon and Argument; yet in regard divers Doubts may ſeem to ariſe in the minds of ſome ſober men concerning the preſent Change, (eſpecially now when the Age abounds with calumny, and our Enemies make it their buſineſs by cunning inſinuations to draw away the hearts of the Well-affected from their beſt Friends;) as if we had turned our backs upon our former Principles, and introduced again that very Thing, which was the great Bone of contention, (the removal whereof ſeemed to include the very ſtate of the Quarrel between the late King and the Parliament) and ſo fought our ſelves round till we reſt upon the old bottom, and in concluſion given judgment againſt our ſelves in all the things contended for againſt the King; hereupon we have thought meet, in all meekneſs and moderation, to preſent our Judgment to the publike view, and offer ſuch Particulars to others, as may (through the bleſſing of God) be a ground of ſatisfaction to them, as well as to our ſelves; being fully perſwaded in our own breaſts, as to the preſent Form of Government, that ſuch Cautions and Limitations are therein deſcribed, as make due and full proviſion for the Peoples Liberties, and thoſe juſt Rights, the maintenance whereof hath been ſo reli-

of his Providence, and of admiration to the World; so it affords abundant cause of praise and thanksgiving, that those great Changes and Revolutions which have been in the midst of us, have not engaged us in blood among our selves, nor exposed us for a prey and spoil to the Common Enem[illegible] and opportunities to prom[illegible] hath [illegible] our N[illegible] happy[illegible] He wh[illegible] of th[illegible] hath [illegible] his ow[illegible] have [illegible] mirab[illegible] had w[illegible]

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religiously prosecuted in the late War; and that it contains nothing contrary to, or inconsistent with those good purposes and principles, held forth by the Parliament and Army in their several Declarations; but is clearly justifiable both by them and by right Reason, according to the practises and proceedings hitherto owned by the Parliament themselves, the Army, and all the well-affected party, in several alterations upon the like occasions of necessity.

Now in order to the clearing of these things, we conceive it requisite, first, to consider, what was the original Ground of our taking Arms, and upon what Foot that Quarrel stood: And then in the second place, How it came to pass that the Army were constrained divers times to declare and interpose themselves after an extraordinary manner, in prosecuting our first principles, through the many great changes of Affairs and revolutions of Government; touching which we shall not here take upon us to dispute by inches, the occasions of our Change into a Free-State or Commonwealth, and the several Tendencies thereunto; nor shall we run over all those Particulars in Discourse at large, seeing they are matters well known to the godly People of this Nation (whose satisfaction we principally intend) and have heretofore been declared at full; but we shall content our selves only with a summary repetition of the main Particulars, so far as is necessary to evince the equity of their then-Proceeding, and give light to clear the way of our following Discourse; in all which we doubt not but it will manifestly appear, that they were concerned out of conscience and duty, to acquit themselves as they did; unless they would have stood still, as idle spectators or Parties unconcerned, while men of loose or debauched principles and corrupt minds, were perfidiously contriving the publick ruine, contracting new Interests and Parties contrary to the old, and absolutely destructive to all the primitive points insisted upon.

I. And

I. And first, as concerning the original ground of our first engaging in the War, We shall take leave to premise this one Thing for an unquestionable Truth; That we never fought, nor was it ever declared by the Parliament or Army, that we took up Arms for, or against any particular Form of Government whatsoever. Look over all the Declarations, Remonstrances, and Protestations made by either, and it will appear that we never fought against the King, as King; nor for the Parliament or Representative consider'd purely as such: But we took up Arms against the King because he demeaned himself as a Tyrant, and had projected a wicked designe of introducing his own Will and Power above Law; and for the Parliament or Representative, because it seemed to be the likeliest and best means (as Affairs then stood) to prevent those manifold evils which threatned the Kingdom, and to preserve the Liberties of the People. And therefore (we say) Government under this or that Form, was not the moving Cause of this great Controversie, but those common ends of safety and Freedom, for which all sorts of Governments were instituted and appointed. Yea, and it must here be remember'd, that even at that time, when the Army put forth that Remonstrance from St. *Albans*, which usher'd in the King to the Bar of Justice, they had not then entertained any thoughts of excluding Government by Kings, provided they were *Elective*. And as for the King himself, there appeared not the least intentions to cast him off, till he had quite cast off the People, and would admit no reconciliation but upon his own Terms, such as must necessarily have frustrated those righteous ends of our first Engaging. Moreover, whosoever shall take a serious view of all the Papers that have been made publick, to set forth the Grounds of the War, shall ever find, that the main Point insisted on by the Parliament and Army in their many Declarations, was, *The bringing Delinquents to condign punishment, the maintenance of the Laws and Liberties of the Land, and of a due succession of Parliaments.* This was the

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soul that animated their whole Undertaking; which was not by them intended to quarrel at the Kingly Form then eſtabliſhed, but to regulate the diſorders and exceſſes of the King and his Government, and reduce him within the due bounds of Authority; that he might not accompliſh that deſigne which had been the buſineſs of his whole Reign, *viz.* the advancement of his own and his Poſterities Will and Power, againſt the publick Intereſt of the Nation. Hence it was, that his legal Intereſt was ſtill admitted in all Declarations, and his juſt Power and greatneſs provided for in them, and in the *Covenant*; but with this remarkable reſtriction or ſpecial Limitation, [*In the preſervation of the true Religion and Liberties of the Kingdoms*;] and the ſaid Declarations ſtill directed us to the equitable ſenſe of all Laws and Conſtitutions, as diſpenſing with the very Letter of the ſame, and being ſupreme to it, when the ſafety of all is concerned.

II. And therefore in the ſecond place, that it may plainly appear, what juſt cauſe both the Parliament and Army had to recede from the Letter of their former Profeſſions toward the Kings Perſon and Family, and how they were (through his default) neceſſitated to give way to the ſubſequent Alterations, we ſhall only in general terms ſet down a brief Account of Things in reference to that great buſines, and to the ſeveral changes that have followed ſince, out of which the neceſſity and Juſtneſs of the preſent Change wil in ſome meaſure appear.

When after the expence of much precious bloud, and many Treaties to no purpoſe, it was clearly found by experience, that the King was obſtinately and irrecoverably engaged in the proſecution of ſuch Courſes as portended nothing but ſpeedy ruine to the Kingdome, and rendred him utterly irreconcileable to the Parliament in their juſt Addreſſes and demands; ſo that there was no poſſibility of a ſettlement by him, in any way that might anſwer the Truſt repoſed in them by their Country. And in regard

regard there was a Corrupt Party prevailing afterward in Parliament, who had declined the true declared Intereſt, and deſigned to re-inveſt him with the exerciſe of Kingly Power, without any competent Security, or reaſonable Proviſion for the declared Rights and Liberties of the People, or for thoſe that had faithfully engaged in the maintenance of them: Theſe things being conſidered, with the calamities and deſolations inevitably drawing on, unleſs ſome immediate and extraordinary remedy were found to obviate the deſign; it pleaſed God at length to excite ſuch as remained faithful both in Parliament and Army, by a ſeaſonable Interpoſition to give a ſtop to theſe mens Intentions; And ſeeing it was impoſſible to ſecure the Intereſt of Religion and Liberty, with reſpect had any longer to the King himſelf, he was utterly laid aſide; the Conſideration of thoſe great Ends being ſuperior to the dignity of his Perſon.

Now, as this firſt moſt remarkable Alteration in the Parliamentary Affairs, was not only juſt and honourable in it ſelf, but eſteemed ſo, and therefore avowed by the honeſt and well-affected of the Nation, and neceſſitated by the inconſtancie of that Party of men in Parliament, who (contrary to their truſt) would have yielded up the precious Concernments of the People as to Religion and Liberty, together with the Parliament it ſelf, unto the meer will and power of the King; (yea, and this when he had ſtood it out to the laſt, and was within the power of the Army:) So alſo, when after his neceſſary Impriſonment, in order to the ſecurity and peace of the Nation, it was obſerved, that though he had alter'd his condition, he retained his old obſtinate mind and reſolution; and it appeared moreover by experience, what an Influence he ſtil held upon the Parliament as then conſtituted; inſomuch that being encouraged by Inſurrections and Commotions in all Parts of the Kingdom, they deſigned to bring him in upon a Treaty: And though in the Terms of that Treaty very little reſpect was had to the juſt ends of the Quarrel,

and the Prince, his Son, then in the revolted Ships at Sea, disavowed all that should be done, and declared his Father as a Prisoner in no condition to Treat; yet so loft and loose were that Party of men to all former Principles, that his restauration was in a manner concluded, and oportunity enough intended him to break all Bonds of Agreement, and re-settle himself in an absolute arbitrary power, over the Consciences and Liberties of the People. All which being laid together, as also, that the bloudy imbroilments in the year 1648. and the Invasion of *Hamilton*, were to be put upon his Account; that by this means he had involved himself and Family afresh in the guilt of Bloud; and that both He, and his Wife and Children, had for ever espoused an Interest of their own, destructive to the Rights of the Kingdom; then the Affairs of the Nation being driven to the utmost Point of necessity, the Parliament were (in prudence) to look no farther for satisfaction, as formerly, in the way of demanding our Rights; but concerned (in conscience) to think of satisfying Divine Justice, by offering him up a Sacrifice for the crie of innocent bloud, and afterwards to take care for an establishment some other way, for the safety and Freedom of our Nation: And therefore in those after-actings toward the next great Alteration, when they exterminated his Family and altered the Government, they were every way to be justified in point of Conscience and Prudence (notwithstanding former Declarations) for as much as a Kingly Family and Office are but of a secondary consideration to the security of a Kingdom, and all Forms of Civil administration (being as the Shell to the Kernell) are subordinate and inferior to the ends of Government; so that if these cannot otherwise be attained, there follows an unavoidable necessity of altering the Form.

The Government then of this Nation being (through necessity) alter'd, and at length established in the way of a Free-State or Commonwealth in the hands of the Parliament, both the Army and People were content to acquiesce therein,

therein, and continued languiſhing year after year, in hope at laſt to have taſted thoſe Fruits of Freedom, which ſeemed to ſhoot forth and flouriſh in the Bud, at the beginning of that Eſtabliſhment: But when after the intercurrence of divers years, all our hopes were blaſted, in regard particular Members became ſtudious of Parties and private Intereſts, neglecting the publick; and by reaſon of their dilatory Proceedings in the Houſe, and unlimited arbitrary deciſions at Committees, wholly perverted the end of Parliaments; ſo that the People being delaied (and ſo in effect denied) Anſwers to their Petitions, no dore being open for the redreſs of Grievances, nor any hope of eaſing the People of their burthens, it was found at length by experience, that a ſtanding Parliament was it ſelf the greateſt Grievance; which appeared yet the more exceedingly grievous, in regard of a viſible deſigne carried on by ſome among them, to have perpetuated the Power in their own Hands, inſomuch that they never made any the leaſt ſhew of a new Repreſentative or Parliament, till they underſtood that the Army were reſolved to end their ſitting. Then it was, and not before, that they brought on their *Bill for a new Repreſentative*; and this meerly out of deſigne too, that they might have had ſome ſhadow of Pretext to thwart or ſcandalize that moſt neceſſary work of Diſſolution by the Army. But notwithſtanding admit, that they had been real in their Intentions, for the putting a period to their own Authority (as was pretended) and giving way to a ſucceſſion by the promoting of that *Bill*; yet conſidering the very Form of Succeſſive Parliaments deſcribed therein, intending that the Supreme Authority ſhould be lodged in *Biennial Parliaments*, and that they ſhould have power to ſit to make Laws, and Govern from two years to two years ſucceſſively (keeping by that means the Supreme Legiſlative Power alwayes in being) the evil conſequences thereof both in reſpect of freedom and ſafety, are diſcernable to every eye, and would have proved a remedy worſe than the diſeaſe. For beſides the infinite number of Laws which would

have bin Enacted by the constant sitting of the supreme Authority, that in a few years no man could have told how to have behaved himself, either in respect of his life or estate, (as is known by experience of the last Parliament, who made more Laws then had been in some hundreds of years before) the Supreme Powers of making Laws, and of putting them in execution, were by that Bill to have been disposed in the same hands; which placing the *Legislative* and *executive Powers* in the same persons, is a marvellous In-let of Corruption and Tyranny: whereas the keeping of these two apart, flowing in distinct Channels, so that they may never meet in one (save upon some transitory extraordinary occasion) there lies a grand Secret of Liberty and good Government: And though it be of a dangerous import, that they should both rest in the hands of any single person, excluding the Community; yet the consequents are abundantly more pernicious, when they are grasped by many: becaus as a particular person is easily noted for his excesses; so particular offenders find shelter in a Multitude, when whatsoever they Act, usually passeth in the name of the whole Body; by which means, in effect, they become unaccountable for Abuses in Government. And how easily such Abuses might have been justified in a Parliamentary way, is apparent enough; seeing an oportunity was given in that Bill, to the next, or any succeeding Parliament (no manner of balance or Check being reserved upon them) by claiming an absolute Authority to be in themselves, for ever to have continued the Power (if they pleased) in their own hands, upon pretentions of safety; by which means the People must either wholly have lost their Liberty, or been involved again in Bloud, to remove the one, and redeem the other; for, it is very evident, how prone men in Power are to keep up themselves, even from the carriage of the late Parliament, which, had it been left to it self, would unquestionably have sate for ever. And therefore it was the wisdom and care of our Ancestors, so to temper the Government of our Nation in time past, that they left the Supreme

preme *Law-making Power* among the People in Parliament, to ſit at ſome times, and be-truſted the *Execution of Law*, with the myſteries of Government, in the hands of a ſingle perſon and his Council. But the Leaders of the Parliament, ſteering another Courſe in their *Biennial Bill*, did ſet open a wide dore to the aforeſaid Inconveniences, in that ominous Scheme of Government by them propounded. And thereby, as alſo by their own miſcarriages, made it manifeſt to the judgments of the moſt ſober and well-affected People, that nothing of ſettlement or ſatisfaction could be expected from them, in order to the remedy of growing evils and neceſſities, or to the preſervation of the chief ends of the late War. And in truth, it being utterly impoſſible in that corrupted State, through long continuance in an unaccountable condition of Authority, that they who made it the main of their buſineſs to exerciſe an arbitrary power in Committees, and promote parties and Factions among Themſelves, and were like in a ſhort time to overwhelm the ancient Liberties and Properties of the People, and increaſe their vexations, through the multitude of unneceſſary Laws (many of which were made upon occaſion of, and to ſerve and ſuit with the Concernments and Intereſts of particular Members) ſhould become the Inſtruments of our long-deſired eſtabliſhment; And ſeeing no regard was had to the many humble ſollicitations of the Army, applyed to the moſt conſiderable Members of the Houſe, that others might ſucceed in their Places, to perfect that good work which we had with ſo much patience expected; therefore it became an Act no leſs pious then neceſſary, for the Army to interpoſe upon the ſame equitable grounds as heretofore, in like caſes of extremity, and (no ordinary *medium* being left) to provide for the Main, in a way irregular and extraordinary, by a timely Diſſolution; the conſideration of the ſaid ends of our Engagement, and of Government it ſelf, being equally paramount to the priviledges of Parliament, as to the Prerogatives and Perſons of Kings.

And

And now the Army having proceeded thus far in that unaccuſtomed (yet moſt neceſſary) way of action, not without much regret and hazard to themſelves; whereas ill-minded men have taken occaſion thereupon to blaſt the ſincerity of that Act, as if it had been an unworthy conſequence of ſome long fore-laid Deſign upon grounds of Policie; there needs (we ſuppoſe) no other confutation of that calumny, then a bare conſideration of the irreſolution and unpreparedneſs of the Army at that time, as to any particular way of Settlement. For, although the Army (out of the ſenſe they had of the evils hanging over our heads, and which were like to increaſe while the Parliament ſate) had taken ſome conſideration how to remedy the ſame, and had before had conference about it with ſeveral Members of Parliament; yet untill they were actually diſſolved, no Reſolutions were taken in what Model to caſt the Government; but it was after the ſaid diſſolution debated and diſcuſſed by the Officers of the Army, as *res integra*; the Queſtion being then put, Whether the Power ſhould be reſerved in the hands of a few, or of a greater number of perſons, in order to an Eſtabliſhment: It was conceived by ſome, that the former would prove the more effectual Mean; but by others, that the latter would be every jot as effectual, and beſides bring this advantage along with it, that it would be much more ſatisfactory to the generality of the Army, and to the good people of the Nation: whereupon, the Officers being deſirous (as much as in them lay) to promote a Succeſſion of Supreme Aſſemblies, in that form of a Free-State or Commonwealth which had been declared by Parliament, it was at length reſolved to fall upon the latter, as being ſuppoſed the moſt rational way (conſidering all circumſtances attending the conſtitution of affairs) to provide for the eaſe and ſatisfaction of the people: And in order hereunto, it was agreed likewiſe, that ſuch perſons ſhould be called together out of the ſeveral Counties, as were reputed men fearing God, and of approved

proved fidelity; in the choice of which persons such indifferencie was used, and so equal liberty allowed to all then present with the *Generall*, that every Officer enjoyed the same freedom of nomination, and the majority of suffrage carried it for the election of each single Member: By which means the supreme Power of the Nation was devolved and be-trusted into the hands of those men thus elected, to all intents and purposes.

And truly, the hopes conceived, and expectations raised from the meeting of that Assembly, were neither few, nor without ground; forasmuch as it was apprehended, the persons generally were men of godliness and honesty, and supposed to have a spirit as large as the Interest of Gods people, (and surely many such there were among them) which Interest is doubtless of such a latitude, that all men who have the evidence of Regeneration, of faith, and love, (though under different Forms, or not perswaded yet what Forms they ought to submit unto, by reason of the various disputes about them) and do neither apostatize from Forms and deride them, nor reject Christ in the Communion of Saints, nor slight the holy Scriptures, (which practises are altogether inconsistent with Godliness) should possess their Rights in an equal enjoyment of protection and liberty; And also, that men as men (notwithstanding the signs of Regeneration appear not in them) should enjoy the benefit of their respective Interests, whether in Articles of War, or any other Claims of a Civil cognisance. But on the contrary, it so fell out in a short time, that there appeared many in this Assembly of very contrary principles to the Interest aforesaid; which led them violently on to attempt and promote many things, the consequence whereof (however it might not be intended by the generality of them) would have been *A subverting the Fundamental Laws of the Land, the destruction of Propriety, and an utter extinguishing the Ministry of the Gospel.* In truth, their principles led them to a pulling down all, and establishing nothing: So that instead of the expected

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Settlement, they were running out into meer Anarchy and confuſion.

For the further clearing whereof, it will be convenient here to give a ſhort Syſteme of their Principles and actings in reference, 1. to *Religion*, 2. to the *Civil Rights* and *Laws* of the Nation. 3. to the *Army*; And though we take little pleaſure in a diſcourſe of this nature, which tends to a laying open the weakneſs and Failings of our Brethren; yet ſeeing it is for their ſakes that we doe it, who in popular diſorders and confuſions, will have the greateſt ſhare of miſery and oppreſſion; We conceive it very neceſſary to ſpeak our knowledg therein, and ſhall proceed with all tenderneſs in the Relation, with intent (not to aſperſe any, but) only to ſhew how farr the Members Themſelves were concerned in conſcience and duty, to reſolve upon the diſſolution of that Aſſembly.

And firſt, as to *Religion*, We muſt here (with grief of heart) remember; how often the Profeſſion of it, the Ordinances, and the very name of Chriſt was blaſphemed, by faſtening a mark of Antichriſtianiſm upon every thing they liked not; what ſevere Principles of *Impoſition* were owned by thoſe very men, who had ſo often heretofore declaimed againſt it, as that which hath been an occaſion of ſpilling the Bloud of many Thouſands of precious Saints, and would again (under ſtranger Pretences) in a ſhort time, have introduced a new Fury of Perſecution more high than ever; and by decrying all other waies to eſtabliſh their own, have impoſed a more than Antichriſtian Yoak upon the necks of Believers. Hence it was, that they un-ſainted every man, whoſe Conſcience was not of the ſame ſize with their own, and condemned all as Enemies to Reformation, who kept not an even pace with Themſelves in the Houſe, or with the hot men at *Black-Fryers* Meeting, who pronounced all the Reformed Churches to be as the Out-works to *Babylon*, and that they muſt be taken down before there could be a coming

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at the main Fort. Thus they became Judges over their Brethren, branding them as men of carnal and of Antichristian ſpirits, oppoſers of the work of God, *&c.* becauſe not of the ſame perſwaſion in the Things held forth by them, though little was ſaid to convince thoſe that were contrary-minded: Nevertheleſs, they proceeded ſo far, as to make this the Foundation of a Breach in the Houſe, among perſons of the ſame Faith, and under a high name for Religion; by which means themſelves became the great obſtructors of the work of Reformation and Settlement. And now if theſe things had been managed by them in a fair ſeeming courſe of Reaſon and Argument, there might (perhaps) have been a way open'd to give or receive ſatisfaction; but alas, that *Impoſing ſpirit* of theirs was actuated, by a more high and active ſpirit of Dreams and Phantaſie, which ſet an end to reaſoning, and led them out to a pretence of infallibility in all their determinations; and what Influence this would have had in time upon mens Eſtates and Properties, is eaſily apprehended; ſeeing ſuch a ſpirit as knows neither Bond nor Bound in things rational and civil, would ſoon have urged their arbitrary Dictates and Deciſions for Law, as well as Goſpel. Upon this account it was, that they and their followers preſumed alſo, to declare the whole Miniſtry of the Nation *Antichriſtian*, and becauſe thoſe in Power did not readily concur with them in the ſame opinion, they branded both the Governors and Government, as *Babyloniſh* and Antichriſtian; upon which ſuppoſition only (without reaſoning the matter) they would have pulled down the Miniſtry, both root and branch; and their Party abroad in Pulpits, uttered many peremptory predictions of the remove or downfall, both of the one and the other. And whereas it was conceived neceſſary by many of the Houſe, that all ſatisfaction ſhould be given to the godly of the Nation, in reference to a Reformation of the Miniſtry, by ejecting ſuch as were ſcandalous, at length an Expedient was thought of, and brought in from a Committee by way

of Report; that Commissioners should be sent into each County, with power to enquire into the lives and Doctrines of Ministers, and remove such as were offensive, or scandalous to their holy Profession: yet when the Question was put, it passed in the *Negative*; nothing would satisfie but the Ministers must down, and be turned out of all (both good and bad) to seek a subsistence for Themselves and their Families; which had been not only a manifest invasion of their Rights, as civil men, and Members of the Commonwealth, and a grievous Intrenchment upon the liberty of their Consciences, and of those who have been converted by their Ministry; but seeing also, that many, at the same instant when they pressed this extirpation, professed fully against the Magistrates power in any matters of Religion, and particularly that of placing or sending forth men to Preach the Gospel, we cannot understand what hope there could be, of ever having a constant Preaching Ministry re-setled in this Nation. And yet all the while, these men would have the world believe, that they are for a Godly Ministry, for Liberty of Conscience, and that they abhor imposing upon their brethren. But by these things you may see, what the consequents of their Principles would be touching Religion.

II. As to the *Laws* and *Civil Rights* of the Nation; When the point of Law came into consideration in the House, the one Party was for pruning away its exuberances and superfluities; the other, for a hewing down of the main Body: The more sober Judgments were for a regulation of the Law, by making it more succinct, intelligible, and certain, as also to remedy the Abuses of it, and render it less tedious and chargeable to the People; yet nothing would serve the other, but a total eradication of the old, and introduction of a new: And so the good old Laws of *England* (the Guardians of our lives and Fortunes) established with prudence, and confirmed by the experience of many ages and generations (the preservati-

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on whereof was a principal Ground of our late Quarrel with the King) having been once aboliſhed, what could we have expected afterward, but an inthroning of arbitrary Power in the Seats of Judicature, and an expoſing of our Lives, our Eſtates, our Liberties, and all that is dear unto us, as a Sacrifice to the boundleſs appetite of meer Will and Pleaſure. For, it hath been ſaid of old; *The Law is that which puts a difference betwixt Good and Evil, betwixt Juſt and Unjuſt: If you once take away the Law, all things will fall into a confuſion; every man will become a Law unto himſelf, which in the depraved condition of Humane Nature muſt needs produce many great Enormities: Luſt will become a Law, and Envy will become a Law, Covetouſneſs and Ambition will become Laws; and what Dictates, what Deciſions ſuch Laws will produce, may eaſily be diſcerned.* As for our parts, we in this Nation may eaſily perceive the event of ſuch courſes, having lived ſome years at the pleaſure of a long-continued Parlament, who contrary to their Truſt, and the nature of a Parlament (whoſe great work is to make Laws) took upon them ordinarily to adminiſter Law and Juſtice, according to their own wills, and endeavoured to perpetuate the Office of Adminiſtration in their own hands, againſt the will of the People: In which Acts of abſolute and Lordly power, as they were followed to the heels by this laſt Aſſembly; ſo theſe exceeded them in other dangerous attempts, which extended not only to the abolition of Law, but to the utter ſubverſion of Civill right and Propriety. For, there was a Party of men among them, who aſſumed to themſelves only the name of Saints, from which Title they excluded all others that were not of their Judgment and opinion, and therefore ſeeing it is a name that ſhall be had in everlaſting honour; we are heartily ſorry to have ſeen it ſo wretchedly abuſed in this Age of light and godlineſs, as that the pretence of it hath by ſome men been intended for a Riſe to the advantages of worldly Power and glory, above the reſt of their brethren.

For what else could be the intention of those in the last House? who were no sooner met, but they would have waved the way of Call upon a humane account, and generally made pretence to an extraordinary Call from *Christ* himself, and to take upon them to rule the Nation by vertue of a supposed Right of Saintship in themselves; and upon this principle would have laid the foundation of a new platform, which was to go under the name of a *Fifth Monarchy*, never to have an end, but to war with all other Powers, and break them in peeces. In order whereunto, that they might make way for this *Fifth Kingdom*, they and their party having wrested and fitted Scriptures for their turn, professed and declared abroad (and into this principle and perswasion they baptized all their Proselytes) that the Powers in being were all branches of the *Fourth Monarchy*, which must be rooted up and destroyed; whereupon they took the confidence not only to asperse and judge whole States and Governments, and propheſie their ruine, but did, as much as in them lay, devove them to destruction, and thereby prepare the spirits of the people to imbrace any opportunity to follow them and put their designs in execution. So that if their design of setting up the *Fifth Monarchy* according to the dreams they had of it, had taken effect, wherein men could have had no other Right but what they must have derived from them and their Party; it is no hard matter to discern how the common Interest of this Nation would have been swallowed up by a particular Faction, and what a pernicious Engine it must have proved to the perverting of all Order among Men; forasmuch as by turning the stream of Government out of its proper channel, it would have utterly confounded the whole course of Natural and Civil Right, which is the only Basis or foundation of Government in this world. And therefore seeing their design was of so high a nature, as it aim'd at no less than the extirpation of Law, and Government it self, and of the main Rights and Interests of the People relating there-

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unto; it is the leſs needfull to mention their intrenching upon other Rights which are of an inferior conſideration, as in the matter of Tythes, and of Patronage and Preſentation of Miniſters to Livings: Concerning which we ſhall only ſay, that in this, as in all other things, nothing of moderation would content them. It was propounded, as the more ſober and equitable way, That perſons of eminent piety and fidelity might be appointed to judge of ſuch Miniſters as ſhould be preſented by Patrons: but they would admit of no ſuch regulation, running out into the extreme, and quite voted away the whole Right of Preſentation. And in the debate thereof they forbore not to diſcover the principle whereby they did it, judging all men to be carnal and Antichriſtian, that differed in opinion from them.

III. As concerning the *Army*, this being the great impediment in the way of *their Monarchy*, they were not without their deſigns alſo upon it: which not being to be contended with by any open attempt, they proceeded towards it by other methods. For, when the neceſſary continuation of Aſſeſsments came to be debated in the Houſe, they laboured might and main (under ſpecious pretences) to have caſt out the Bill, and ſo at once to have cut all the ſinews of the Army and their ſubſiſtence, the only viſible ſupport of the Nations ſecurity: the conſequence whereof would have been an expoſing of the Souldiery to Free-quarter and diſorder, and thereby the Country to rapine; all ſupplies muſt have been cut off likewiſe from the Navy, and our Affairs and Friends left to ſink or ſwim in *Ireland* and *Scotland*; yea, and all this at ſuch a time of unuſual danger and neceſſity, when *Scotland* was unquiet, the Commonwealth engaged with Enemies abroad, and forced to an extraordinary Charge for the maintenance of our Fleets at Sea, which are as the walls and bulwarks of this Nation againſt Invaſions of Foreigners. But the Bill of Aſſeſsments being paſt, and their intentions

tentions this way fruſtrated, their next method was to have alter'd the Government of the Army, and to have committed it to ſuch hands as would have aſſiſted them in their intended Transformation. As a Preparative hereto, all Courſes were taken to make the *Army* odious, the Officers aſperſed with the title of *Janiſaries*, and men ſet up in Pulpits, whoſe daily work was to caſt dirt upon all perſons in Truſt and Power, in the Army and elſwhere, by proclaiming them to be *Penſioners of Babylon*, and the Government Antichriſtian: which licentious Tongues were not only encouraged herein by the preſence, but aſſiſted (many times) by the perſons of ſome of their Patrons in the late Aſſembly. Nor did theſe men reſt here: but not being able to ſerve their own wills and phant'ſies within the Houſe, ſo eaſily as they deſired; then they reſolved to divide and ſeparate themſelves from the other Members, who followed them not in their exceſſes, and to conſtitute themſelves into a Power diſtinct from them. To this end, they led off divers well-meaning Gentlemen of the Houſe along with them, to private Meetings of their own appointment, upon pretence of ſeeking the Lord by prayer for direction. But, to the great diſhonor of God, and prophanation of his holy Ordinances, the uſe that was made of thoſe Meetings by the Contrivers of them, was, only for the better carrying on of things that they had beforehand reſolved to act. And in order thereto, they took liberty to arraign and condemn the perſons and proceedings of their fellow-Members, and provoked others to Remonſtrate and Proteſt againſt them; ſaying, That if the Houſe then ſitting ſhould ſend for them, they ought not to obey them: Deviſing alſo at the ſame Meetings, which way to prepoſſeſs all the gather'd Churches in *England* by Letters, and with Reports of their own to ſcandalize the Government in the opinion of our Brethren in thoſe Churches, whoſe Liberties we tender as our own in the Lord, and for whoſe ſatisfaction this Diſcourſe is chiefly intended; endeavouring thereby to lead aſide the

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Godly of the Land into miſtakes and offences. And when they could not obtain a generall conſent to write unto the Churches, becauſe many of the Meeting perceived the evil of this buſineſs, it was left to every mans diſcretion to write as he ſhould ſee cauſe and occaſion. Beſides all this, direction was given at a Meeting, to pull down ſome of the great Officers, and put others in their places; thereby to create ſuch diſcontents and emulations among the Souldiery, as would probably have divided and embrued them in each others blood, and expoſed them and the whole Nation for a prey to the common Enemy.

Things being at this paſs, and the Houſe (through theſe Proceedings) perfectly disjointed, and the two Parties wound up to ſuch a height of animoſity, that they were as much divided, as if they had been people of two diſtinct Nations, mutually contending for each others Rights, it was in vain to look for a Settlement of this Nation from them thus conſtituted; but on the contrary, nothing elſe could be expected, but that the Commonwealth ſhould ſink under their hands, and the great Cauſe hitherto ſo happily upheld and maintained, be for ever loſt, through their prepoſterous management of thoſe Affairs wherewith they had been truſted. And therefore the major part of that Aſſembly being convinced, that they could ſit no longer, without incurring the guilt of that deſtruction which was coming on the whole Land, did upon the 12. day of *December* 1653. by ſubſcribing their Names to an Inſtrument in writing, reſign up their Powers and Authorities to his now *Highneſs* (then Captain-General of all the Forces of this Commonwealth) in theſe following words:

Upon

Decemb. 12. 1653.

UPon a Motion this day made in the Houſe, that the ſitting of this Parlament any longer as now Conſtituted, will not be for the good of the Commonwealth; and that therefore it was requiſite to deliver up unto the Lord General Cromwell, *the Powers which they received from Him, Theſe Members whoſe names are underwritten, have and doe hereby reſigne their ſaid Powers to his Excellencie.*

Which being done, and thereby all Power of Government devolved upon the General, as Head of the Army, it was neceſſary to take ſpeedy conſideration, in what Form to diſpoſe the Government. To have continued it in a Military way, had been dangerous; and inconſiſtent with the Freedom of the People, and by conſequence to have inthroned Power and Force above Law, and left both the inſtituting and executing of Law to the arbitrary diſcretion of the Souldier, who being girt with both Swords of War and Civil Juſtice, would be apt to miſtake and draw the one, inſtead of the other, to execute his own will in place of Law, without check or controll, having all force at his own diſpoſition; which muſt have introduced very great inconveniences.

To have returned back again to *Repreſentatives*, as the Parlament had propounded in their *Biennial Bill*, and ſo to have governed theſe Nations by Parlaments alwayes ſitting

ſitting, not only clear reaſon, but experience evinceth, that neither Safety nor Liberty could be expected therein. Parlaments always ſitting are no more agreeable to the temper of this People, than it is to a natural Body to take always Phyſick inſtead of Food: For, the prime end of the Parlamentary conſtitution is, to make Laws, and redreſs grievances. Now it cannot in reaſon be imagined, that becauſe the great Body of the People may ſometimes abound with ill humors and diſtempers, therefore it ſhould be perpetually under the hands of it's Phyſicians: This may ſooner kill than cure. The ordinary preventive phyſick in a State againſt growing maladies, is execution and adminiſtration of Law and Juſtice, which muſt be left to its Officers; but Legiſlation or the power of Law-making is then properly exerciſed, when they are grown to a height, & have need of ſtrong purgation; which if conſtantly uſed, vitiates the Complexion, enervates the natural vigor, and fortifies the diſeaſe by a more abundant acceſſion of pernicious humors. What Commonwealth that hath but a face of civility, can be ſuppoſed to have People of ſo forlorne a diſpoſition at all times, and things ſo continually out of order, that it will require a perpetual application of new Laws for remedy? which if admitted, would in a ſhort time require ſome Ages to read over innumerable Statutes, and reduce the buſineſs of Law to as bad condition, as it was in the *Roman* Empire before the dayes of *Juſtinian*, when by long tract of time the Laws were ſwoln into ſo prodigious a heap of untractable volumes, that the Law-profeſſors themſelves were oppreſſed under the weight of them, as well as the People. And as to what concerns us here in *England*, we were fairly coming on to the ſame paſs; ſo many Laws having been ordained the laſt Parliament, that our *Gentlemen of the Robe* know very well what ado there is to reconcile one Law and Ordinance with another, how incongruous they are in reſpect of themſelves, and in reference to many antient Laws which immediately concern the Liberty of the People. So that

had they been left to their own will, to have ſate Ordaining as long as they liſt, a few years more would have mounted the Statute-book above the reach of a Student's purſe, and advanced it to the ſize of an antient *Livy*, which was held ſufficient of it ſelf to ſet out a whole Library; by which means the Senſe of Law could never have been extricated out of endleſs Intanglements, but being loſt in the Labyrinth of its own Bulk, it muſt have proved a miſerable vexation both to Lawyer and Client. Theſe would have been the effects of ever-ſitting Parlaments, in point of Law-making. But as to an aſſuming to themſelves alſo a diſtribution of Law and Juſtice, it is a thing not to be once named among a free People, whoſe ſecurity lies in having an eaſie open way of Appeal, in caſe of wrong done by Juſticers; which can very rarely, or never be had againſt the Injury of ſo ſupreme a Court as a Parlament, it being the higheſt. But admit they were accountable ever to the ſucceeding Parlament, yet (when all is done) it would be a hard matter to queſtion ſo great a Body, a courſe very ill-beſeeming the dignity of Parlaments; and as difficult a point to pick out Offenders, a way too much reflecting upon the liberty of Parlament, which lies in a freedom of Debate; and this every man will challenge, and ſay he did but ſpeak his Judgment, if any one ſhould be called to account for promoting an unjuſt Determination. Nay, put caſe, that particular Offenders of this kind could be ſingled out of the Houſe, yet for all this, the people would be very deſperately to ſeek of remedies againſt their arbitrary Dictates, becauſe thoſe great moliminous Bodies of Parlaments are but ſlow in motion, and attendance will quickly exhauſt a good purſe and patience, before any thing can be done; the truth of all which we well knew by experience, through the continued Seſſion of the late Parlament. Where Law is diſpenſed, there ſhould upon occaſion of injury be a ready paſſage to redreſs againſt the Diſpenſers, or elſe as good be without any Law at all: But this cannot be expected

pected from continual Parlaments; and therefore as they were never intended for executioners of Law (it being the peculiar Task of inferior Courts) and as there is no need, but very great inconvenience that they should be busied still in framing Laws, which is their principal work; so it must of necessity be granted, that their perpetuated sitting in the Nation, would have been unnecessary, dangerous, and its most deplorable Grievance.

Lastly, to have called again particular persons to the Supreme Government, in the way last taken by erecting the late Assembly, the evil thereof was too notorious and fresh in memory, and therefore dangerous to venture a splitting upon that Rock again, which had been but newly escaped. We, and all the People, had need beware of that mistaken principle, which had like to have devoured the common Interest of our Nation. For, we cannot yet but admire at those mens open and violent avowing this Point of State-heresie; *That godly persons, though of small understanding, and little ability of mind in publick Affairs, are more fit for Government than men of great knowledg and wisdom, if endued only with natural Parts, and moral vertues*; whereupon they are too apt to think, that none ought to be intrusted in Government but godly persons, or such as are Saints by calling, who shall have immediate assistance from God suitable to their work. But alas, our late experience hath sufficiently taught us, that God works not now in any such extraordinary way, but hath left the world to be ordered by the moral improvement of natural Endowments and Faculties. The business of Government is not conversant about the inward graces and Qualifications of men, as men of Faith and justified persons, but is wholly terminated in works of the outward man; It being purposedly ordained for a terror to evil doers, and the praise or encouragement of them that doe well, according to the light of nature, and dictates of the natural Conscience; which summe up the main duty of a

Christian Magistrate, who ought to keep himself within these Bounds. And it is so far from the intent of Christ, that his Sheep should be folded within the Walls of a Supreme Authority, that he plainly told his Disciples, and us in them, that *his Kingdom is not of this world*; whereby he totally discountenanceth that worn *Tenet*, long since exploded, but now revived by these men, *That temporal Power and Authority is and ought to be founded in grace.* A thing so little minded by *Paul*, and so far from the thoughts of the rest of the Apostles and Penmen of the New Testament, that men as Saints might claim a Right and Title to become Governors and Princes, that they are bid rather to arm themselves with patience for Tribulation and persecution, as their portion in this world, and to think rather of praying for Kings and Magistrates, counting it sufficient if by prayer they might obtain so much favour under them, as to live a quiet and peaceable life. The knowledg of God in Christ was never given forth to govern the world, but for more high and noble ends; as to live in communion with God; to bridle and quench a mans lusts and disorderly affections, and to subject the whole inward man to the Rules of another, even a spiritual Kingdom. It is a thing indeed to be wished, that Governors might alwaies be endued with the grace and the knowledg of God in Christ, added to those great gifts of moral vertue, Wisdom and Prudence, because it puts a lustre upon them all, and makes the Government very beautifull; but Grace (though mostly accompanied with some measure of those gifts) doth not necessarily qualifie gratious men alwaies with an excellency of discerning in matters of a Civil nature; for, we see many rich endowments of Understanding, Justice, Fortitude, patience, *&c.* in others (which many believers have not) whereby they are fitted to rule men of several Tempers and Passions, and to fore-see the Consequents of things by reason, and in a natural way; which is the only means ordained by God to rule the world, who hath left the whole

whole Frame of nature here below to be regulated and diſpoſed by the natural man. And therefore, whenever the Magiſtrate runs out of his ſphere to act upon other grounds, or when men ſhall aſſume Magiſtracie to Themſelves, upon any ſuch ground (as aforeſaid) beſide that of naral and civil Right, they not only lay a Foundation (as we have lately ſeen) for impoſing upon mens conſciences, and ſevere perſecution, but doe (as much as in them lies) proclaim war againſt all men beſides their own Opinioniſts, cancelling the very Rights of Nature, together with all the Bonds of civil ſociety.

Nor muſt it be forgotten here, what a Rock ſuch men are ready to ruſh upon, who ſhall endeavour to twiſt the Spiritual and Civil Intereſt both in one, and ſo make the Church and State of the ſame extention, as they do who hold that none ought to be in Authority but Saints by calling; for, in this there is a recurring to the very Papall and Prelatick principle. Upon this notion the *Pope* firſt ſet up himſelf, and the Prelates after him, adding the Temporal Authority to the Spiritual, and ſo made the Kingdom of Chriſt to be of this world, as thoſe poor deluded ſouls do, who lay the Foundation of their *Fifth Monarchy*, upon the ſame carnal Suppoſition.

Wherefore upon theſe, and divers other Conſiderations, it was agreed to come to ſome ſuch ſolid and certain courſe of Settlement, as might hereafter barr up the way againſt thoſe manifold inconveniences, which we have felt under other fleeting Forms, and reduce us (as near as may be, with moſt convenience) to our antient way of Government, by Supreme Magiſtrates and Parlaments.

And of this nature is the Form now eſtabliſhed, and already made publick.

But to the end that this may be made clear and manifeſt, we ſhall in the next place diſcourſe ſomwhat concerning it in generall, and then deſcend to particulars. In general,

generall, we ſay; that as this laſt Change hath been made upon the ſame grounds of reaſon and equity, that neceſſitated all foregoing Changes in the outward Forms, and was admitted of abſolute neceſſity to ſave a ſinking Nation out of the gulf of miſery and confuſion, cauſed by the changeable Counſels and corrupt Intereſts of other men, who violated their Principles, and brake the Truſt committed to them: So none of thoſe former Alterations did ſo truly make good, or ſo fully provide for the ſecurity of thoſe great ends of Religion and Liberty, which were as the blood and ſpirits running through every vein of the Parlament and Armies Declarations; ſo that though the Commonwealth may now appear with a new face in the outward Form, yet it remains ſtill the ſame in Subſtance, and is of a better complexion and conſtitution then heretofore.

If we take a ſurvey of the whole together, we find the Foundation of this Government laid in the People. Who hath the power of altering old Laws, or making new? The people in Parlament; without them nothing of this nature can be done; they are to be governed only by ſuch Laws as they have choſen, or ſhall chuſe, and not to have any impoſed upon them. Then, who is to adminiſter or govern according to thoſe Laws, and ſee them put in execution? Not a perſon claiming an hereditary Right of Soveraignty, or power over the Lives and Liberties of the Nation by birth, allowing the *People* neither Right nor Liberty, but what depends upon Royal grant and pleaſure, according to the tenor of that *Prerogative* challenged heretofore by the Kings of *England*; under whom, if the Commonalty enjoyed any thing they might call their own, it was not ſo much to be eſteemed a matter of Right, as a Boon and effect of grace and favour. But the Government now is to be managed by a Perſon that is *elective*, and that Election muſt take its riſe originally and virtually from the People, as we ſhall fully evince by and by, in particular, and ſhew that all power both *Legiſlative* and *Executive*

cutive, doth flow from the Community; than which there cannot be a greater Evidence of publike Freedom.

Again, as this Perſon is not to exerciſe his Power by a Claim of Inheritance, or by vertue of any perſonal Right over and above the People; ſo it is a thing that he is to receive only by way of Truſt, for their benefit and protection; and the power he is inveſted with, is not to make him great and glorious, otherwiſe then in order to the peace and advantage of thoſe that are governed by him; whereas the Kings of this Nation pretended always, and maintained an Intereſt of their own, as they were Kings, diſtinct and ſuperior to that of the People; which they called their own, as much as any particular man can call his houſes or lands his own, wherein he hath a perſonal propriety. And as they did not hold themſelves to have come in by the People, ſo neither did they conceive themſelves obliged to govern, otherwiſe than for their own greatneſs: And although this Doctrine had been broached in ſome later Books and Prints, *that Kings were not for themſelves, but for the People*; yet the Courtiers laughed in their ſleeves at it, and we know it was eſteemed heretical by the King and his Abettors. Nevertheleſs, how often, and in how many Declarations did the Parlament promiſe to make him a great and glorious King! and were content to have imbraced him in ſuch a poſture, in caſe he had hearken'd to their deſires and demands! Whereas now the Terms of Glory and Greatneſs are omitted, and a ground-work is laid to make the Nation great and glorious, and our chief Magiſtrate ſo, no otherwiſe than may be conducing to the ſame end: So that it will appear the Government is ſufficiently popular, the antient Liberties of *England* not only ſecured, but enlarged; and that although the *executive power* be placed in a ſingle perſon, yet it ſtands upon a fairer account then in former times.

But let us proceed now from Generals, to touch upon ſome of the Particulars in the ſaid Eſtabliſhment; where we find, that all the grand Acts of Soveraignty are either immediately, or influentially, lodged in the People; not only ſuch as they claimed of right in the time of Kings, but ſuch as they never made any demand of.

1. The firſt and great Act of Soveraignty lies in the *Enacting*, and the *altering or annulling of Laws:* which is expreſly provided to be in Parlament, and not otherwiſe (ſave in ſome Caſes, and that only untill the ſitting of the next Parlament, the reaſon whereof will appear by and by;) And that the exerciſe of this Soveraign Power by the People, may not by any means be avoided, ſure proviſion is made likewiſe for a continual ſucceſſion of Parlaments, it being done with ſuch care and circumſpection, that the very circumſtances of Proviſion are ſufficient to induce a perſwaſion, that the whole Eſtabliſhment was made with an aim at the publick Good, and not fitted for the greatning of any particular Perſon. Which will farther appear by the following conſiderations.

1. Conſider what care is taken for a ſucceſſion of Parlaments. A Parlament is to be called every three years at leaſt, not leaving it at the pleaſure of the chief Magiſtrate, to do it or not to do it; but other perſons, in caſe of his Failer, are impower'd and required to iſſue forth Summons without him; and that under the penalty of High-Treaſon. Which Proviſion is agreeable in ſome ſort to the *Triennial Bill*, paſſed in the beginning of the laſt Parlament; and that at ſuch a time, when the Nation was juſtly ſenſible of their own Rights, and when they never dreamt of a perpetual Parlament, nor of ever-ſitting Parlaments, but deſired only a convenient ſucceſſion of thoſe Supreme Aſſemblies: And the ſame deſire was often iterated by the Army, in their Remonſtrances and Declarations.

2. As

2. As to the Conſtitution of Parlaments, it muſt be obſerved; That the Elections of perſons to ſit in Parlament, are diſtributed in all Counties, with much more equality and proportion than heretofore, according to what hath been often declared, and propounded by the Army; as alſo that full proviſion is made to prevent Frauds in Elections, and falſe Returns. And whereas the liberty of Electing is reſtrained only to ſuch qualified perſons in each County, whoſe Eſtates real or perſonal are valuable at the ſumm of 200*l.* and they declared capable to elect Members to ſerve in Parlament; let it be conſider'd, that the liberty of that kind is drawn forth to a greater latitude, than in the daies of Kings, when this Priviledg was exceedingly curtailed, and communicated to thoſe alone who were called *Free-holders*, as if they alone had been the men that ought to be free: But now we conceive it is circumſcribed with ſuch prudence and caution, that it ſits neither too ſtreight nor too looſe, to the Body of our Nation.

3. If we conſider what perſons are to be elected, as well as to elect, we ſhall find a very Chriſtian moderation uſed therein. Care is taken that ſuch perſons ſhall not be choſen, who were in Arms againſt the Parlament after the year 1641. unleſs they have been ſince in the Parlaments Service, and given ſignal Teſtimony of their good Affections thereto; by this means to prevent a bringing into the Supreme Councils, thoſe who have ſo lately declared themſelves Enemies to the Cauſe of God, and the true Intereſt and Liberty of the People. But yet, there being hope, that ſuch men may in time, by living under a free Government, drink in better principles, that incapacity is determined after three ſucceeding Triennial Parlaments, except they be *Roman-Catholicks*, or ſuch as have been Partakers with the barbarous and bloudy Rebels in *Ireland*. And to the end the Qualifications to be obſerved in Elections, may not become void, a power is reſerved in the Council, to judge and ap-

prove of ſuch as ſhall be elected, before they ſit; which Power is to laſt but for the three next Triennial Parlaments. And this doubtleſs is a much better means, to keep out of the Parlament, men diſ-affected to the true Intereſt of this Nation, and thereby ſecure the Cauſe ſo long fought for, than that which a party in the late Parlament ſeemed to reſolve upon, *viz.* to perpetuate themſelves for ever, and thereby keep out all others who might call them to an account, expoſing the publick to hazard for their own private ſecurity; as if the ſafety of the Nation had been bound up in their particular perſons. So that as on the one hand, a fitting proviſion is made, to preſerve at preſent, the Power and Reins of Government, in the hands of thoſe who have approved themſelves faithful in the late great Controverſie of Freedom and Liberty; ſo on the other hand a juſt and probable foundation is laid for extinguiſhing all animoſities, and putting into oblivion the memory of all thoſe Feids and diviſions contracted by Civil War; not only by admitting ſuch to Government, who of enemies are already become faſt friends, but by limiting a time, after which all diſtinctions of this nature ſhall be taken away, whereby through the bleſſing of God, the people may be harmoniouſly diſpoſed to a laſting peace and ſettlement. Which things were all particularly declared for by the Army, in the year 1647. upon the like grounds and reaſons.

4. The Power of Parlaments is now ſuch, that beſide what former Parlaments had, for the examining and rectifying of exorbitances, calling Officers to account, *&c.* they may by the preſent Conſtitution, make and repeal Laws of themſelves; by which means, that unlimited prerogative of a *Negative Voice*, the Darling of our Kings, a principal Flower of the Crown (as they accounted it) and a thing which the late King contended for, is now utterly abjured, and Proviſion made, that in caſe the *Lord Protector* do not ſigne ſuch Bills as ſhall be preſented to him, within twenty daies, then afterward they ſhall of courſe become Laws, as

full

full and effectual as if his Assent to them had bin obtained.

5. Lastly, Consider the continuance or duration of Parlaments, and it is Provided they shall not be adjourned, prorogued, nor dissolved for five months space, without their own Consent; whereas, every one knows what was claimed, and alwaies exercised by the Kings of *England*, to wit, a Power of dissolving Parlaments at their pleasure: But now the Liberty of Parlament is setled in that particular, and secured against arbitrary and momentany Dissolution, it being impossible for any to dissolve them, without their own Consents, before the appointed time: which being consider'd, together with their absolute Power of Legislation, in the manner here expressed, we suppose there is nothing that can be thought of, for the Freedom and prosperity of the People, which may not be effected by the Parlament, though the *Protector* should not give his Consent thereto.

1. But if in reference to this of Parlaments, it be Objected; That in the twenty fourth Article, a *Negative Voice* is placed in the *Protector*, as to whatever is contained in the said Establishment; and that in the twelfth Article, the Members Elected are by their Indentures, to be debarred from altering the Government, as it is declared to be in a single Person and a Parlament; and that thereby the Supreme Power is limited and restrained in things most natural to their Trust and Employment; It is answered, that though it be not of necessity, yet it were a thing to be wished, that Popular Consent might alwaies, and at all times, have the sole influence in the Institution of Governments; but when an Establishment is once procured, after the many shakings and Rents of civil Divisions, and Contestings for Liberty, as here now in *England*, doubtless we have the greater reason to value it, being purchased at the price of our bloud, out of the claws of Tyranny; and we conceive it highly concerns us, to put in some sure *Proviso*, to prevent a razing

of thoſe Foundations of Freedom that have been but newly laid; eſpecially in ſuch an Age as this, wherein men are very apt to be rooting and ſtriking at Fundamentals, and to be running out of one Form into another; and when it is found alſo, what advantages the Common Enemy hath made by our being in the condition of a *Floating Iſland*, through neglect of any certain ſettlement: Which being conſidered, it was high time, ſome Power ſhould paſs a Decree upon the wavering humors of the People, and ſay to this Nation, as the Almighty himſelf ſaid once to the unruly Sea; *Here ſhall be thy Bounds, hitherto ſhalt thou come, and no further.* Now this neceſſary courſe for ſettlement is no more, than what was formerly agreed on by the Army, in their great Remonſtrance from St. *Albans*, upon the like grounds of reaſon, and upon ſuch another occaſion; wherein you may read the like *Proviſo*, for tying up of Repreſentatives or Parlaments, to the Form of Eſtabliſhment then intended. Nor can it be reputed otherwiſe than moſt reaſonable and neceſſary, after ſo great Commotions and Confuſions by Civil War, as have been in this Nation; for as much as in ſuch Caſes, it is very rarely to be expected or imagined, that a Government can be erected in the way of Conſent by the People; and it being moſt needfull, that ſome Government ſhould be; and of unavoidable neceſſity, that ſome ſhould ſet down the Rules of it; and that men ſhould be tied to thoſe Rules, unleſs we would alwaies be altering and ſhifting of Settlements, and ſo live ever in diſtraction: Therefore ſurely, as this Reſtriction to the preſent Form, is (conſidering the ſtate and temper of Affairs) moſt undeniably neceſſary, as the only courſe to keep us from wandring any more in the Maze of our own Contentions; ſo it is no new thing in the world, nor without example from the Army it ſelf; even at that time, when they were by ſome men reputed moſt pure, and ſincerely devoted to the Principles of Freedom.

2. Again,

2. Again, it may perhaps in the ſecond place be objected, That whereas twenty dayes time are allowed to the *Lord Protector* to deliberate upon ſuch Bills as ſhall be preſented to him for his conſent by the Parlament, therefore this ſeems to intrench upon the wiſdom of Parlament (which is the wiſdom of the whole Nation) as if they would not be well adviſed of ſuch Bills as ſhall be intended for Laws. But for Anſwer, we muſt have recourſe to the wiſdom of our Anceſtors touching this Particular, who doubtleſs might think themſelves as wiſe in worldly matters, as ſucceeding Parlaments may be; yet we find they uſed great deliberation in paſſing all Laws. And thus much was ſignified to us by the reading a Bill ſo many times, the Committing, and the Ingroſſing it, with divers other Ceremonies uſed; which were to no other end but to ſtave off the haſty and precipitate nature of man from falling upon the rocks of any rath Concluſions, in matters of ſo high importance: And therefore upon this account it was, that they thought meet to allow the Supreme Magiſtrate likewiſe a time of deliberation, that when he paſſed his Aſſent, he might do it as a Man, upon grounds of proper Judgment and Reaſon; it being preſumed, that He being in all things aſſiſted by a Councel, might perhaps have ſome Reaſons to offer, not unworthy of conſideration, conducing to the regulation and amendment of Particulars in things preſented to him. Hence it was, that of old, when the King thought it needfull to deliberate upon matters of that nature, his Anſwer was, *Le Roy l'aviſera*, that is, *the King will adviſe:* And this was pleaded to him by the late Parlament, as the antient Prerogative of the ſupreme Magiſtrate, in oppoſition to his Plea for a *Negative voice.* And therefore, ſeeing this limited time of deliberation can no more derogate from the wiſdom of Parlaments hereafter, than it was thought to do in elder time; and whereas the Reaſon holds now as ſtrong as ever (if not more) for avoiding heady determinations in grand Affairs,

whereof

whereof the laſt Parlament gave us ſad experience (Laws having been made and unmade in an inſtant, and like imperfect Embrio's, ſtill-born, or elſe ſtrangled as ſoon as brought into the world) We muſt needs therefore be of opinion, that the *twenty dayes time* of deliberation reſerved unto the *Lord Protector* upon the like occaſions, cannot be any prejudice to the wiſdom of Parlament, but rather tends very much every way to the advantage of them and the Nation.

3. If it be in the third place objected, that the Limitation of the ſitting of Parlaments to the time of five months, is an impoſing upon them; Wee would fain reaſon out the matter with ſuch men, and deſire them to conſider, that unleſs we would have Parlaments ſit ever, there muſt needs be an intimation of ſome certain time for them to riſe, and wherein it may be required of them; for otherwiſe there is a dore left open for a perpetuation of particular perſons in ſoveraign power: And how unapt men are of their own accord to part with ſuch power, when they have got it once into their hands, how apt they are to corrupt like ſtanding Pools, and contract an arbitrary diſtemper in execution of Law, and what miſerable inconveniences muſt follow thereupon, we, and all the people of the Land can tell by too ſad experience. We would not ſeem hereby to bring an ill Report upon Parlaments, nor undervalue them to the world, becauſe of ſome miſcarriages of the laſt, knowing they are the beſt and moſt proper Phyſick to cure the diſeaſes of the Nation; and therefore it was well ſaid of the *Obſervator* (a man much for Parlaments at the beginning of the War, and one whoſe writings were highly prized of the Parlament) *that Parlamentary government ſhould be uſed like Phyſick, by the intermiſſion of due ſpaces of Time, and not as Diet*; otherwiſe, by too long uſe it will corrupt and deſtroy, inſtead of curing the Body. So that we ſee there is a neceſſity of having Intervals, or times when Parlaments are not ſitting. Now conſider

ſider alſo, the great fault of the Kingly government in this reſpect was, that ſeeing no convenient time of ſitting was fixed as a Boundary, to keep off an overflowing will and prerogative from intruding upon Parlaments, and breaking in upon them by violence, Kings took upon them to diſſolve them at pleaſure in a moment, yea many times as ſoon as they were met, and before the leaſt redreſs had of the Peoples grievances: And therefore the prudence of the preſent Government hath ſo well temper'd all Ingredients in the conſtitution of Parlaments, and provided ſo far, that, as Phyſick, they may have a certain due time allotted for operation (which before they had not) and for five moneths ſpace not be adjourned, prorogued, nor diſſolved without their own conſent. Wherein ſeeing there is a ſure proviſion made againſt an immediate arbitrary Diſſolution, with an implicite Reſerve, and a clear intimation that they may ſit much longer, and as long as the neceſſities of the Nation ſhall require; and ſeeing when Parlaments ſhall have had their courſes a while, five months ſpace will be found a fair time for redreſs of grievances, and ſupplying other publike neceſſities that may happen in the ſhort Intervals (wherein alſo a new Parlament may be called, out of the uſual courſe, if there ſhall be extraordinary occaſion;) ſeeing alſo that the way of Government in free Nations is not to be accommodated unto Schemes of Freedom which lie in melancholy contemplation, but muſt be ſuited to that Form which lies faireſt for practical convenience, and avoiding Inconveniences, for the eaſe and ſafety of the People; and laſtly, ſeeing it is a far leſs inconvenience, that Parlaments ſhould be limited in time, rather then ſit as long as they pleaſe, and there can be no Inconvenience here where a competent time is fixed, but it is (all things conſider'd) a very great Convenience: Therefore, ſetting one thing againſt another, we conceive, there can be no detriment accruing unto Parlaments by ſuch a limitation of time and conferring all theſe things together, we ſuppoſe leſs danger to be feared from a Pow-

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er of Diſſolution thus qualified, and but tacitly reſerved in one perſon, and that perſon accountable for abuſe of ſuch Power, than that Parlaments (who are, we ſee, no more priviledg'd from error than *Popes* and *general Councils*) ſhould be left to perpetuate themſelves as they pleaſe, and conſequently to do what they pleaſe, being, as long as they keep their Seats, unaccountable perſons. The ſumm of all then that hath been ſaid, amounts to this; That there is unqueſtionably as great a neceſſity, there ſhould be ſome ſet-time for the diſſolution, as for the calling of Parlaments. And truly, ſo much was implied in all the Declarations of the Parlament, before they thought of perpetuating themſelves. And if you remember, in the year 1647. the like time of limitation (though not the very ſame) was intended by the *Propoſals* of the Army; upon the expiration whereof each Parlament was to have diſſolved of *courſe, if not otherwiſe diſſolved ſooner.*

Having thus concluded that part of our Diſcourſe, which relates to the Succeſſion and Conſtitution of Parlaments in all Particulars, and made it evident therein, that the Firſt and greateſt Act of Soveraignty, which conſiſts in the Point of *Law-making*, is reſerved entire in Parlament; and having alſo removed out of the way the moſt materiall Objections, we ſhall now proceed to the ſecond.

II. A ſecond grand Act of Soveraignty is the diſpoſall of the *Militia*; concerning which it cannot but be remembred, that the King chalenged an abſolute power, in and over it, to himſelf, as his ſole Right, excluſive and independent of the Parliament at all times. The Parliament, they denyed this, and affirmed, that his power over it was but by way of ordinary Truſt; and that in times of extraordinary danger and neceſſity, when he neglected to perform that Truſt, then Themſelves were to ſecure the *Militia*, and put it in execution, as being more immediatly intruſted on the behalf of the People:

People: And it muſt be remembred withall, that the utmoſt of the Parlament's demand of the *Militia* was but for a time, and the onely ground of their Demand was upon an unuſuall occaſion. But now, that Claim of the King (upon which he founded the main of his Quarrel) is wholly waved, and its expreſly declared; that the *Lord Protector* ſhall diſpoſe and order the *Militia* or Forces both by Sea and Land, while the Parlament ſits, onely by Conſent of Parlament, and in the Intervals of Parliament, with the advice and conſent of the major part of the Councill. So that you ſee, the People's Parlamentary Intereſt in the great buſineſs of the *Militia*, is avowed and confirmed. And in caſe any thing ſhall be done hereafter concerning it, in the Intervals, by the Council, that may be matter of miſcarriage, there is a way of rectification and remedy left open, in the ſucceeding Parlament.

III. A third Prerogative of Soveraignty is the *making of Warr and Peace*; and that by the conſtitution of this Government, is not only to be manag'd with the Advice and conſent of the Council, but is communicated alſo to Parlaments: For, in caſe of future Warr with any Forein State, a Parlament ſhall be forthwith ſummoned to adviſe with concerning the ſame. Which is a Privileg, that never was demanded by the Parlament in their *Nineteen Propoſitions* (ſuppoſed the higheſt demands) that were made at firſt to the King, nor in any of their firſt Declarations, but alwaies admitted to be in the King.

IV. A fourth Act of Soveraignty is the *Impoſing of Taxes and Payments*; and this is wholly reſerved to Parlaments; it being fit, that thoſe only who are in immediate Truſt from the People, ſhould have the Command of their Purſes. And whereas in the thirtieth Article of Government, there is a Clauſe reſerving a temporary Power in the

Lord Protector, with the Consent of the Council, to raise money for preventing the disorders and dangers which may otherwise fall out; it must be observed, that as this is no more but what is of pure necessity, and to continue only till the sitting of the first Parlament; so it is much less than what was propounded by the Army in the year 1647. when the like power was desired might be given to a Council or Committee, in the Intervals of Parlament.

V. The Fifth Point of Soveraign Power is, the *Highest and last Appeal*; which is retained likewise in Parlament.

VI. The Sixth and last Point of Soveraignty is, the *Power of Creating and disposing Magistrates and Officers*; which we are bold to say, from the highest to the lowest, is stil placed either expresly, or implicitly and ultimately in the hands of the People in Parlament, as we shall make evident anon, when we come to treat of the several Articles relating unto that Particular, the consideration whereof will very fitly fall in at the close of this Discourse, as its more convenient place. In the mean time, seeing these Acts of Soveraignty are all comprehended within the Walls of a Parlament, we must undeniably conclude, that as this Government now established, answers all the Primitive Demands that were made by the Parlament to the late King, as the means to make this a florishing Nation; so it exceeds them in many particulars, for preservation of the Freedom, common Interest, and safety of the people. Thus far then, we suppose it appears, that we stand firm to our Principles.

But to proceed; The next thing we are to take notice of in this Government, is, That it fully answers likewise the main ends of the Parlament and Army, in reference to matters of *Religion*; wherein the Rights and Liberties of the People are as duely fenced and provided for, as in all the principal Points of Civil Interest and Freedom. For it may

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be remembred, that the great care of the Parlament was (excluding ever licentious and blaſphemous Opinions and Practiſes) to make a Chriſtian proviſion for the Liberty of tender Conſciences; They made it their buſineſs to protect and countenance Religious men and Godlineſs in the power of it, to give freedom and enlargement to the Goſpel (for the increaſing and ſpreading of light in this darkſom world) and thereupon to remove all ſuperſtitious or corrupted Forms that were oppoſite thereto: which things were indeed the proper Subject of that religious Reformation intended by them, and which hath been often declared for by the Army. In conformity to which bleſſed and moſt Chriſtian deſign, we ſuppoſe a ſpecial regard is now had to all the Intereſts of Gods people, with *the Maintenance of the Miniſtry, the Confutation of Error and Hereſie, the Extirpation of Popery, Prelacy, and whatſoever is contrary to Godlineſs and ſound Doctrine*; as you may ſee in the 35. 36. 37. and 38. Articles of Government. And whereas in the 36. and 37. Articles it is intimated or implied, that there is a Publick profeſſion intended to be held forth by the Magiſtrate, and that the Profeſſion ſo held forth ſhall extend both to Doctrine, and Worſhip or Diſcipline; whereupon ſome perſons do object, that this is contrary to the Principles formerly owned by the *Army:* We return this anſwer: That whatever the private Judgments and opinions of many particular perſons in the Army may heretofore have been concerning this matter, yet the Body of the Army never declared themſelves either againſt the Magiſtrates power in matters of Religion, or that the Magiſtrate might not hold forth a publick Profeſſion of Doctrine and Diſcipline; but we find the quite contrary clearly implied and expreſſed in their *Declarations* and *Propoſals*. For, in their *Propoſals* they found fault with nothing of that nature, but moved only for the taking away of all *Coercive power*, Authority and Juriſdiction of all Eccleſiaſtical Officers whatſoever, extending to civil penalties upon any; and for the repealing of all Acts impoſing penalties for not coming to

Church, or for meetings elſwhere, *&c.* And in that Declaration of *Iune* 14. 1647. (which may ſerve once for all) they clearly diſclaimed and diſavow'd any deſign to overthrow all Church-government; only deſired, that according to the Parlaments Declarations (promiſing a proviſion for tender Conſciences) there might ſome effectual courſe be taken anſwerable to the intent thereof, and that ſuch who upon conſcientious grounds ſhould differ from the eſtabliſhed Forms, might not (for that) be debarred from the Common Rights, Liberties, or Benefits belonging equally to All, as men and members of the Commonwealth, while they live ſoberly, honeſtly, and inoffenſively towards others, and peacefully and faithfully towards the State. Which Judgment and Reſolution of the Army at that time (which ſome men are pleaſed to call and account the time of their Virgin-innocence and purity) exactly ſquares with the Intent and Frame of the preſent Government, in things of Religion, as it is ſet forth in theſe Articles. And therefore, ſeeing it never was any Principle of the Army, that the Magiſtrate ſhould be deprived of that power, whereby he is principally inabled to fulfill the moſt noble end of his Magiſtracie (and in compariſon whereof all other Ends are of an inferior value;) And ſeeing it is a duty incumbent upon the Magiſtrate, to provide for the Civil peace, and to prevent fore-ſeen evils and inconveniences growing upon the Commonwealth, tending to Confuſion; Obſerving alſo what advantages have been made by the Popiſh party both at home and abroad, through our want of ſome Settlement in Religious matters, and what occaſions have thereby been given to ſubtile heads and carnal minds to diſplay innumerable Parties and Factions under the banner of Religion, ſpreading abroad moſt blaſphemous Opinions in defiance even of the holy Scriptures, and of God the *Father*, *Son*, and *Spirit*, to the diſhonour and ſcandal of our Chriſtian profeſſion; And finally, it being manifeſt, that in theſe things men do make ſhipwrack of Faith and a good Conſcience, for worldly ends and advantages which

they

they propound unto themſelves, not only to the apparent hazard, vexation, and diſquiet of the Commonwealth, but (as much as in them lies) to the licentious ſubverting of all Order and Government; therefore we conceive it is high time for our Governours to lay a healing hand to theſe mortal wounds and breaches, by holding forth the Truths of Chriſt to the Nation in ſome ſolid Eſtabliſhment, and not quite to lay aſide or let looſe the golden reins of Diſcipline & Government in the Church; but yet to order them in ſuch a way that they may not tie up all mens Conſciences, who profeſs Truth in ſobriety, to any one particular Form, nor be laid as ſnares and chains upon conſcientious and zealous men (as it was wont to be in the dayes of Popery and Prelacy;) the ſumm of all that is intended by way of Coercion, being only to reſtrain ſuch as ſhall abuſe their Liberty to the Civil injury of others, and to the actual diſturbance of the publick Peace, or ſuch as under the profeſſion of Chriſt hold forth and practiſe Licentiouſneſs.

The next conſiderable in the Government is, the way of maintenance for the Forces both by Sea and Land, and this is to be done by a conſtant yearly Revenue. The ſet-number of Land-Forces to be kept up, is 10000 Horſe and Dragroons, and 20000 Foot, which doubtleſs is but a competent number for the defence of three ſuch Nations, as *England*, *Scotland*, and *Ireland*, and they are to be maintained with part of that Revenue; the reſt is to be expended in a convenient number of Ships for the Guard of the Seas: And in caſe there ſhall not be cauſe hereafter to keep up ſo great a Defence at Sea and Land, then the money ſaved thereby, is to remain *in Banco* for the Publick Service, and be imployed by conſent of Parlament; which, queſtionleſs, being ſeriouſly ponder'd, is a moſt excellent Proviſion, and ſuch as will not only give us credit and eſteem among our Friends abroad, but ſtrike Terror into our Enemies, when they ſee the Government continually fortified with the ſinews of Warr, by a conſtant Revenue for that purpoſe,

and

and with this grand advantage also of a publick Bank or Treasury upon all occasions. And though the great benefit and convenience of this cannot be seen and felt, till God please to free us from the present chargeable Occasions; yet when these necessities shall (through his blessing) be over, and an oportunity given, that the Land-Forces (which in Field and Garison within the Three Nations are now at least 80000 in number) may be reduced to the setled proporti on, and the Nation begin to enjoy some measure of Peac and Settlement, it will be found a great ease unto the generality, that the Commonwealth shall (as it will ordinarily) by this means be inabled to defend it self, offend enemies, and assist its Allies and Confederates upon a Publick Stock, without imposing any Taxes or Payments extraordinary upon the People. And surely it will be farr less burthen for the Commonalty to contribute thus in small Parcels yearly, towards the publick Bank and Revenue, than to be assessed at great sums, whensoever the Government shall have necessity to raise monies upon great occasions, to wage Warr, or for the defence of these Nations.

Then as for the Two hundred Thousand pounds *per annum*, which is to be setled over and above, it is not for the support of the *Protector*, or to be taken for the private use of any particular person or persons whatsoever, but to be employed (as may be seen in the 27 Article) in defraying the Charges for Administration of Justice, and other Expences of the Government: *viz.* for paying the Salaries of Judges, and other Officers belonging to Courts of Judicature, the necessary expences for carrying on the Publick business in all the three Nations, the entertaining Ambassadors here, the sending out Ambassadors and Agents, *&c.* into Forein Parts, the relieving of maimed Soldiers, and many like chargeable uses. All which considered, it will be found (we fear) too small a summ for such a Work; especially seeing the single expences of the late *Council of State*

State amounted to above one hundred Thousand pound *per annum.*

The last and great point of Soveraignty and concernment to the safety and benefit of a Commonwealth (which we touched a little before) is the *Electing and disposing of it's own Magistrates*, or the great Officers of State; and we find in the 34. Article, that the *Chancelor, Keeper or Commissioners of the Great Seal*, the *Treasurer, Admirall*, *Chief Governors* of *Ireland* and *Scotland*, and the *Chief Justices* of both the Benches, are to be chosen only by approbation of Parlament; which answers fully to former desires of the Parlament and Army. And as to what concerns the *Councill*, though the Election of them be not directly and immediately, yet virtually and ultimately it is in the People in Parlament, and must flow indeed originally from Them in time to come. For, upon the death or removal of any Member of the Council, the Parlament are to nominate six persons of ability, integrity, and fearing God, out of which the Major part of the Council shall elect two, and present them to the *Lord Protector*, of which he shall elect one, to supply the vacancy; So that if an unworthy person be at any time chosen, it must be the Parlaments fault, who have the power of making the first choice, and consequently of limiting both the *Lord Protector* and the Council in the main; as also of preventing any corruption, which either of them might otherwise be guilty of in this Particular. Moreover, in case any Member of the Councill shall prove corrupt in his Trust, then seven Members of Parlament being joyned with six of the Council, are to judge of the business, by which means, whatsoever the case be, the Parlament hath the casting Voice, and greatest Vote in the Judgment. Thus the course of Election is stated for the time to come.

But as for the *present Council*, and the election of them

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in the way it hath been; It must be remembred, that we were in the beginning of a new Government, necessitated to create a little World out of *Chaos*, and bring Form out of Confusion; so that there was an absolute necessity, that some who are known to be persons of Integrity, and firm for the present Settlement, should at the same instant be taken in, to carry on the work: which can be no ground of just exception, especially seeing for the future, Elections shall run in the appointed channel, where their streams are to flow from the People, as their original-Fountain. Yea, the high Office of *Protectorship* it self is to be derived also from hence; and as in time it will appear, that the People in Parlament have the main choice of the Council, so they will likewise be Chusers of the *Lord Protector*: For, it being left to the Council to chuse Him, and they hereafter coming to be chosen and trusted by the Parlament, it cannot otherwise be conceived, but that the Choice of Him takes its rise mediately from the People in Parlament: because as whatsoever a Parlament doth, is said and taken in a political sense to be the Peoples act, because they are chosen and trusted by the People; so in like manner, and upon the same political account, when the Council comes to be chosen by Parlaments, as is before expressed, then the Act of the Council in chusing the *Lord Protector*, must by a parity of Reason be reputed the Act of the People in Parlament. And so you see, in effect, mediately or immediately, the election of all Magistrates (both high and low) are, or will at length, by this Constitution of Government, be in the hands of the People.

Lastly, as to what concerns the Office of *Lord Protector*, it is to be observed, that no man is to be admitted to that Dignity upon the Interest of Himself or Family, but meerly upon the account of his Fitness for Government; it must pass, not by Inheritance, but Election. And certainly, it is a great advantage to a Nation, that the coming in and continuance of their Governour depends only upon his own goodness,

goodneſs, and the good will of the People, as it is in an *Elective Prince*, who ſtanding upon Terms of good behaviour, will be continually employed for the benefit and defence of the Community. And therefore, if it ſhall pleaſe the Lord to bleſs this Commonwealth (as we truſt he will) ſucceſſively, with a choice of godly perſons into that high Office, it is eaſily fore-ſeen, what an advantage it will be to theſe three Nations, to have their whole ſtrength and Force combined thus under one head, for the ſafety of all; this Form being (without queſtion) the fitteſt and moſt convenient for the Magiſtrate to put things on, and in quick execution (as his proper work) for the publick good; as alſo what a comfort it will be to all the godly in the *Proteſtant Churches* abroad, who may have ground to expect ſome more ſure and certain Protection from *England* than heretofore; which as it is the greateſt Body, being united with *Scotland*, ſo it will prove (we hope) the grand Bulwark of the *Reformed Religion*.

Moreover, as touching the Perſon, whom the Lord hath now advanced and ſet over us to be our Supreme Magiſtrate, We ſhall not ſay much, becauſe he ſeeks not the praiſe of men; only we believe even the enemies will confeſs, that he is every way worthy to Rule, whom God hath been pleaſed to uſe as his Inſtrument in that Glorious Work of Redeeming the Liberties of his People: For, we are bold to ſay (weighing all circumſtances together) that this Nation was never really Free, nor in a way of enjoying its Freedom ſo fully as now; ſo that there wants nothing but a cordial Cloſe with the Government, to deſtroy all hopes of the common Enemy, and compleat our happineſs. But if men ſhall yet proceed to lengthen their own burthens, by hankering after that Family which God hath caſt out before us, or by an unnatural ſeeking to imbroil their Country again in bloud and miſery, for the ſake of that accurſed Intereſt, as we are loth to ſuſpect ſuch a thing, and can

hardly imagin that any ſhould be ſo forlorn and deſperate after ſo fair a Compoſure: So we think it neceſſary to reclaim ſuch perſons, if any there be inclined that way, by laying down theſe few Conſiderations concerning that Perſon and Family which pretends to the Government of theſe Nations.

1. It is a Family that hath worn the Marks and Badges of Gods high diſpleaſure for almoſt theſe hundred years: the weight of which vengeance hath fallen upon, and hitherto ſunk all their Partakers; the particulars whereof being in every mans view, and many of them freſh in obſervation, we ſhall not here enumerate.

2. If we reflect upon the Perſon of the *young Pretender*, he is by bloud almoſt a ſtranger to this Nation, being by the Mother a *French-man*, and now unqueſtionably ſuch by his education in that Court, where he hath alwaies before his eyes that patern of abſolute Power which bewitched his Father. Beſides, he is a man of Bloud, having involved himſelf in the guilt of all that innocent Bloud which was ſpilt by his Father, and hath added more to it ſince, to fill up the meaſure of that Tranſgreſſion.

3. His Religion (if any) is at beſt, you know, but a devotion to Prelacy (which was bequeathed to him in Legacy) having forfeited his Oaths to the *Scotiſh* Nation, and all his other Pretences of Religion there, before ever he left the Country. What Profeſſion he owns in *France*, is hardly viſible, but his Mothers Inſtructions, the urgency of his neceſſities diſpoſing him to imbrace any thing, his dependence upon forein Papiſts, his frequent known applications and promiſes to the *Pope*, by ſpecial Agents employed to *Rome* for that purpoſe, and to the *Emperor*, his Alliance to, and Combination

tion with Popiſh Princes, being put all together in the balance, is ground enough to believe him ſufficiently affected, if not ſworn to Popery. For, if he have any promiſe of aſſiſtance (as perhaps the Popiſh Party may now combine, ſeeing we are for a ſettlement of true Religion) it is to be preſumed, thoſe perſons will not be forward to re-inveſt him here, unleſs they may together with him reſtore the *Roman-Catholick* Intereſt and Superſtition.

4. The great and vaſt Debts that he hath in all this time contracted abroad (ſhould he return hither) muſt all be diſcharged out of the purſes of this exhauſted Nation.

5. Conſider the deſperate Crew of forlorn Fugitives, Foreiners, and Papiſts, that he muſt bring along with him, which will like Locuſts devour the whole Land before them; for, their inſatiable Appetites muſt all be ſerved, and great Rewards muſt be thought of for his Leaders and Followers; ſo that his Return will be ſo far from being a remedy or relief of Taxes, that the Nation it ſelf will be too little for him and his.

6. The manifold Revenges and Cruelties that are to be expected: No mans life, no mans Eſtate can be ſecure: There will then be no diſtinction of Parties, and every ſmall Compliance with what hath paſſed, every the leaſt word ſhall be made guilt enough, and ground enough (if he pleaſe) for Death and Confiſcation.

7. Laſtly, an arbitrary uncontrolable will and power to put all theſe things in execution: For, if he ever get in by the ſword, he becomes at the very inſtant as abſolute as the *Grand Seignior*; and will then be fully inabled to accompliſh what his Family had long projected, *viz.* the inthroning himſelf upon an Intereſt of meer will and power, againſt the common Intereſt of the People; by

which means our Lives and Liberties, our Wives and Children, our Eſtates and Fortunes, would all be expoſed as a ſacrifice to the boundleſs ambition and cruelty of a race of Tyrants; it would enervate the natural vigor and courage of the People, and exceedingly debaſe the honour of this free Nation.

Let us ruminate then a little in our hearts touching theſe things, and behold the great hopes and bleſſed benefits of Security and Freedom that we have, and may ſhortly enjoy under the Government, as it is now eſtabliſhed. The Quarrel for hereafter is not between two Perſons conteſting both for a Crown; it is not the Intereſt or Grandeur of any ſingle Perſon, or particular Family, that is contended for on our part: But if ever the Enemy ſhould (for our ſins) ariſe to the poſſibility of a future Conteſt, remember what it is he fights for, and what muſt be the wretched Conſequents of his prevailing; remember alſo what we of this Nation are to ſtand for, the preſervation of our Religion, our Liberties, and all that is dear and precious among men, which appear plainly to be imbarqued in the great Bottom of this preſent Eſtabliſhment. If we falter, or be miſ-led through phant'ſie, or if that fail through our default, we are immediately ſwallowed up by Tyrannie, and have nothing left to do, but to put our mouths in the duſt, and ſit down in ſorrow and ſilence for the glory of our Nation. Moreover, if on the other ſide any oppoſition of male-content and refractory men ſhould (which God forbid) ariſe at home here among our ſelves, the like Confuſions will follow, the effect whereof muſt needs be a ſtraining up the Pins of Power, to ſpoil the harmony of Government, and a conſtraining men, for neceſſary preſervation, to fence themſelves in ſuch a manner as they never intended.

Having

Having therefore a fair and noble way of Administration provided, under which men may live in a plenary enjoyment of their Liberty as Christians, and their Rights as Men; we do not, we cannot in any measure doubt (though we thus expostulate the matter with our Friends and Countrymen, and lay open those great Inconveniences and dangers before them) but that we shall find a ready and cheerfull concurrence from all sober Persons; and have ground chiefly to expect it from all the People of God, though of different Judgments, seeing equal Liberty is given to them all (without just offence to any) and the principal care is for preserving true Religion, and the countenance of its Professors. We, for our parts, have done our duty, in declaring the grounds of our Judgment, and know we have therein discharged a good Conscience, in answer to all the Ends of our first Principles and Engagements, believing we shall find comfort in it in the day of our Account: For, when we look back upon what is done, we find nothing that stares in our faces; and if there could have been imagined any better way of Settlement, we should have imbraced it with the same spirit of submission: But here we see, our Friends have taken in the good of all the three sorts of Government, and bound them all in one. If War be, here is the Unitive vertue (but nothing else) of *Monarchy* to encounter it; and here is the admirable Counsel of *Aristocracie* to manage it: If Peace be, here is the industry and courage of *Democracie* to improve it. And whereas in the present Constitution, the *Legislative* and *Executive* Powers are separated; the former being vested in a constant succession of Parlaments elective by the People, the latter in an elective *Lord Protector* and his Successors assisted by a Council; we conceive the State of this Commonwealth is thereby reduced to so just a Temper, that the Ills either of successive Parlaments, furnished with power both of executing and making Laws, or of a perpetual Parlament, (which are Division, Faction, and Confusion) being

being avoided on the one ſide, and the Inconveniences of abſolute Lordly power on the other; the Frame of Government appears ſo well bounded on both ſides, againſt Anarchie and Tyrannie, that we hope it may now (through the bleſsing of God) prove a ſeaſonable Mean (as for the better defending theſe Dominions againſt Enemies abroad, and promoting our Intereſts in Forein parts, ſo alſo) of Peace and Settlement to this diſtracted Nation; and be of a durable continuance to ſucceeding Ages, for the glory of the moſt high GOD, the advancement of his Goſpel, the protection of his People, and the benefit of Poſterity.

FINIS.